

## **MINUTES**

### **MONTANA HOUSE OF REPRESENTATIVES 61st LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON STATE ADMINISTRATION**

**Call to Order:** Chairman Dennis Himmelberger, on January 27, 2009  
at 10:01 A.M., in Room 455 Capitol.

#### **ROLL CALL**

**Members Present:**

Rep. Dennis Himmelberger, Chairman (R)  
Rep. Jesse O'Hara, Vice Chairman (R)  
Rep. Russell Bean (R)  
Rep. Tony Belcourt (D)  
Rep. Joel Boniek (R)  
Rep. Frosty Boss Ribs (D)  
Rep. Dee Brown (R)  
Rep. Gordon R. Hendrick (R)  
Rep. Pat Ingraham (R)  
Rep. Gary MacLaren (R)  
Rep. Sue Malek (D)  
Rep. Ted Washburn (R)  
Rep. Franke Wilmer (D)

**Members Excused:** Rep. Sue Dickenson, Vice Chairman (D)

**Members Absent:** Rep. Mary Caferro (D)  
Rep. Betsy Hands (D)  
Rep. Mike Phillips (D)  
Rep. Kendall Van Dyk (D)

**Staff Present:** Sheri Heffelfinger, Legislative Branch  
Marshall McEwen, Committee Secretary

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

**Committee Business Summary:**

Hearing & Date Posted: HB 305, 1/21/2009

Executive Action: HB 99, HB 88

00:02:03 Rep. Hands, Rep. Caferro and Rep. Van Dyk entered the room.

**HEARING ON HB 305**

**Opening Statement by Sponsor:**

00:02:44 Rep. Frosty Boss Ribs (D), HD 15, opened the hearing on HB 305, Revise school retirement funding.

**EXHIBIT(sth19a01)**

00:05:15 Chairman Himmelberger

00:05:27 Rep. Boss Ribs

**Proponents' Testimony:**

00:05:48 Shannon Augare, Representative, HD 16

00:07:36 Sen. Carol Juneau, SD 8, Browning

00:09:03 Rep. Dickenson entered the room.

00:11:10 Gwyn Andersen, Business Manager, Browning Public Schools

**EXHIBIT(sth19a02)**

00:17:44 Robert Smokey Rides at the Door, Browning Public Schools

00:22:21 Mary Johnson, Superintendent, Browning Public Schools

00:27:05 Darrell Rud, Executive Director, School Administrators of Montana

00:28:07 Terry Kendrick, Montana Indian Education Association

**EXHIBIT(sth19a03)**

00:28:58 Bruce Messinger, Superintendent, Helena Public Schools

00:32:14 Tom Bilodeau, MEA-MFT

00:37:45 Madeline Quinlan, On behalf of State Superintendent  
Denise Juneau

00:39:07 Bob Vogel, Montana School Boards Association

**Opponents' Testimony:** None

**Informational Testimony:**

00:41:59 Jim Standaert, Senior Fiscal Analyst, Legislative  
Fiscal Division

**Questions from Committee Members and Responses:**

00:43:00 Rep. O'Hara  
 00:43:28 Mr. Standaert  
 00:43:54 Rep. O'Hara  
 00:44:21 Mr. Standaert  
 00:44:41 Rep. Boniek  
 00:45:15 Mr. Smokey Rides at the Door  
 00:45:21 Rep. Caferro exited the room.  
 00:46:59 Rep. Dickenson  
 00:47:31 Ms. Andersen  
 00:50:25 Rep. Dickenson  
 00:51:17 Mr. Smokey Rides at the Door  
 00:51:48 Rep. Van Dyk and Rep. Wilmer exited the room.  
 00:54:11 Rep. MacLaren  
 00:54:49 Mr. Standaert  
 00:55:27 Rep. MacLaren  
 00:55:30 Mr. Standaert  
 00:55:43 Rep. Belcourt  
 00:56:13 Mr. Standaert  
 00:56:28 Rep. Belcourt

**Closing by Sponsor:**

00:56:44 Rep. Boss Ribs  
 00:57:11 Chairman Himmelberger  
 00:57:35 Committee takes a break.  
 01:13:27 Committee reconvenes. Rep. Wilmer, Rep. Phillips,  
 Rep. Hendrick, and Rep. Caferro were not present after  
 the break.

**EXECUTIVE ACTION ON HB 99**

01:13:48 **Motion:** Rep. Brown moved that **HB 99 DO PASS.**

**Discussion:**

01:13:53 Chairman Himmelberger  
 01:14:04 Rep. Washburn  
 01:15:23 Chairman Himmelberger  
 01:15:30 Rep. Brown  
 01:15:52 Rep. Van Dyk  
 01:16:25 Rep. Brown  
 01:16:52 Rep. Boniek  
 01:17:18 Rep. Hands  
 01:19:09 Rep. Malek  
 01:20:24 Rep. Caferro entered the room.  
 01:20:30 Rep. Bean  
 01:21:22 Rep. MacLaren

01:22:13 Rep. Ingraham  
 01:23:36 Rep. Boniek  
 01:24:49 Rep. Hendrick entered the room.  
 01:25:10 Rep. Dickenson  
 01:26:59 Rep. Brown  
  
 01:27:33 **Vote:** Motion failed 9-9 by roll call vote with Rep. Bean, Rep. Boniek, Rep. Brown, Rep. Hendrick, Rep. Himmelberger, Rep. Ingraham, Rep. MacLaren, Rep. O'Hara, and Rep. Washburn voting aye. Rep. Phillips and Rep. Wilmer voted by proxy.  
  
 01:28:53 Chairman Himmelberger  
  
 01:29:05 **Motion/Vote:** Rep. Dickenson moved that **HB 99 BE TABLED**. Motion carried 13-5 by voice vote with Rep. Boniek, Rep. Brown, Rep. MacLaren, Rep. O'Hara, and Rep. Washburn voting no. Rep. Phillips and Rep. Wilmer voted by proxy.  
  
 01:29:52 Rep. MacLaren  
 01:30:03 Chairman Himmelberger

**EXECUTIVE ACTION ON HB 88**

01:30:37 **Motion:** Rep. Ingraham moved that **HB 88 DO PASS**.

**Discussion:**

01:30:40 Chairman Himmelberger  
 01:30:49 Rep. Washburn  
 01:32:18 Rep. Brown exited the room.  
 01:33:45 Rep. Hands  
 01:36:06 Rep. Ingraham  
 01:38:45 Rep. Boniek  
 01:39:23 Rep. Dickenson  
 01:42:29 Rep. Belcourt  
  
 01:43:03 **Vote:** Motion failed 9-9 by roll call vote with Rep. Bean, Rep. Boniek, Rep. Brown, Rep. Hendrick, Rep. Himmelberger, Rep. Ingraham, Rep. MacLaren, Rep. O'Hara, and Rep. Washburn voting aye. Rep. Brown, Rep. Phillips and Rep. Wilmer voted by proxy.  
  
 01:44:17 Chairman Himmelberger

**Additional Documents**

**ADJOURNMENT**

01:44:27 Adjournment: 11:45 a.m.

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Marshall McEwen, Secretary

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Additional Documents:

**EXHIBIT ([sth19aad.pdf](#))**